

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

vs.

ROMAN ARAGON, *et al.*,

Defendants.

69cv07941 BB-ACE

RIO CHAMA STREAM SYSTEM
Section 7: Rito de Tierra Amarilla

MOTION FOR DEFAULT JUDGMENT

COMES NOW the plaintiff State of New Mexico, *ex rel.* State Engineer and moves the Court to enter its order granting default judgment against the following defendants:

Josie Sanchez Dubois	CHTA-003-0015
Magdelene Sanchez	CHTA-003-0015
Joseph Valdez	CHTA-003-0037
Rachel Valdez	CHTA-003-0037
Helen Moore	CHTA-004-0003

and as grounds therefore plaintiff states:

1. The Court has jurisdiction over the above-named defendants as shown by waivers of service of summons by Josie Sanchez Dubois (Doc. No. 6654), Magdelene Sanchez (Doc. No. 6654), Joseph Valdez (Doc. No. 7328), Rachel Valdez (7327) and Helen Moore (Doc. No. 6537).

2. The defendants named above are in default for failure to appear, answer, or otherwise defend in this cause, as shown by the Clerk's Certificate of Default filed March 17, 2006 (Doc. No.

8172).

WHEREFORE, the plaintiff State of New Mexico requests the Court to enter its order granting default judgment against the above-named defendants incorporating the terms of the State's proposed consent orders and in conformance with the January 12, 2001 Rio Chama Hydrographic Survey for Section 7, Rito de Tierra Amarilla, as amended.

Respectfully submitted,

/s/ Ed Newville

EDWARD G. NEWVILLE
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P.O. Box 25102
Santa Fe, NM 87504-5102
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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing were mailed to following persons on April 21, 2006:

Josie Sanchez Dubois
Magdelene Sanchez
P.O. Box 691
Bailey, CO 80421

Joseph Valdez
Rachel Valdez
Rt. 4 Box 23B
Hernandez, NM 87002

Helen Moore
1505 North 10th Street
Wichita Falls, TX 76304

transmitted by ACE filing to the following on the same date.

Special Master Vickie L. Gabin
USDC-DCNM

P.O. Box 2384
Santa Fe, NM 87504-2384

Karla McCall, Data Manager
1315 Sagebrush Dr. SW
Los Lunas, NM 87031

/s/ Ed Newville
Edward G. Newville